

**AN ORDINANCE BY
COMMUNITY DEVELOPMENT AND HUMAN RESOURCES**

AN ORDINANCE AMENDING CHAPTER 18, ARTICLE II, SECTION 18-39 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, BY ADDING A NEW SUBSECTION (4), ENTITLED "APPLICATION TO CITY PROPERTY", FOR THE PURPOSE OF CLARIFYING ANY EXISTING AMBIGUITY IN THE CODE SECTION; AND FOR OTHER PURPOSES.

WHEREAS, Chapter 18, Article II, Section 18-39 of the Code of Ordinances of the City of Atlanta, Georgia (hereinafter "Section 18-39"), sets forth the manner in which livestock and/or hoofed animals can be kept within the City of Atlanta ("City"); and

WHEREAS, Section 18-39 was intended to apply only to private property owners who kept livestock and/or hoofed animals on their property; and

WHEREAS, Section 18-39, as codified, is ambiguous as to whether its provisions apply to property owned or leased by the City; and

WHEREAS, the City Council desires to clarify any existing ambiguity posed by Section 18-39 by adding a new subsection (4) that would affirmatively declare that Section 18-39 does not apply to property owned or leased by the City.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

Section 1: That Chapter 18, Article II, Section 18-39 of the Code of Ordinances of the City of Atlanta, is hereby by amended by adding a new subsection (4) to be read as follows:

- (4) *Application to City Property.* The provisions of this Section 18-39 shall not apply when the Livestock and/or Hoofed animals are located on property owned or leased by the city.

Section 2: That all existing ordinances or parts of ordinances in conflict this ordinance shall be waived to the extent of the conflict.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Community Development and Human Resources

Caption: AN ORDINANCE AMENDING CHAPTER 18, ARTICLE II, SECTION 18-39 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, BY ADDING A NEW SUBSECTION (4), ENTITLED "APPLICATION TO CITY PROPERTY," FOR THE PURPOSE OF CLARIFYING ANY EXISTING AMBIGUITY IN THE CODE SECTION; AND FOR OTHER PURPOSES.

Council Meeting Date: 1/16/07

B. To be completed by the department :

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this ordinance is to clarify any ambiguity in Section 18-39 of the Atlanta Code of Ordinances because the section was originally meant to apply to private property owners.

2. Please provide background information regarding this legislation.

The purpose of this legislation is to clarify that Section 18-39 of the Atlanta City Code, dealing with restrictions on keeping livestock. Does not apply to land owned or leased by the City. For example, the City has a horse park at Chastain Park. It also has its APD horses in an area leased from Georgia Power. These two venues should not be subject to the Section 18-39 restrictions, including the restriction limiting the number of horses to five.

3. If Applicable/Known:

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** n/a
- (b) **Source Selection:** n/a
- (c) **Bids/Proposals Due:** n/a
- (d) **Invitations Issued:** n/a
- (e) **Number of Bids:**

(f) **Proposals Received:** n/a

(g) **Bidders/Proponents:** n/a

(h) **Term of Contract:** n/a

4. **Fund Account Center:** n/a

5. **Source of Funds:** n/a

6. **Fiscal Impact:** n/a

7. **Method of Cost Recovery:** n/a

This Legislative Request Form Was Prepared By: Robin Shahar

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Terry Grandison



Contact

Number: 6946

Originating Department: Parks, Recreation, and Cultural Affairs

Committee(s) of Purview: Community Development and Human Resources

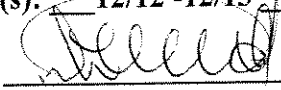
Council

Deadline: 11/27/06

Committee Meeting Date(s): 12/12-12/13 Full Council Date: 1/02/07

1/10/07

Commissioner Signature



CAPTION

AN ORDINANCE AMENDING CHAPTER 18, ARTICLE II, SECTION 18-39 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, BY ADDING A NEW SUBSECTION (4), ENTITLED "APPLICATION TO CITY PROPERTY", FOR THE PURPOSE OF CLARIFYING ANY EXISTING AMBIGUITY IN THE CODE SECTION; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): No Matching Grant Funds Required

Mayor's Staff Only

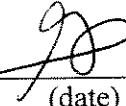
Received by Mayor's Office:

(date)

11.29.06

Reviewed by:

(date)



Submitted to Council:

(date)

11/30/06